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7
8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 v.
13 CURTIS MCGOWN,
14 Defendant.

Case No. 2:19-cr-00028-APG-GWF
**STIPULATION TO CONTINUE
REVOCATION HEARING**
(Sixth Request)

15
16 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,
17 Acting United States Attorney, and Kimberly M. Frayn, Assistant United States Attorney,
18 counsel for the United States of America, and Rene L. Valladares, Federal Public
19 Defender, and Nisha Brooks-Whittington, Assistant Federal Public Defender, counsel for Curtis
20 McGown, that the Revocation Hearing currently scheduled on April 7, 2021 at 10:00 a.m., be
21 vacated and continued to a date and time convenient to the Court, but no sooner than sixty (60)
22 days.

23 This Stipulation is entered into for the following reasons:

24 1. On or about January 28, 2020, Mr. McGown appeared on the petition seeking to
25 revoke his supervised release and was released on his own recognizance pending the supervised
26 release revocation hearing, which is currently scheduled for April 7, 2021 at 10:00 a.m.

1 2. The defendant, Mr. McGown has not resolved his state court case in connection
2 with the alleged new law violation. The state case was scheduled for trial on March 22, 2021,
3 however, the date was vacated and reset by the court to January 18, 2022. The parties need
4 additional time to prepare for a revocation hearing.

5 3. The defendant is not in custody and agrees with the need for the continuance.

6 4. The parties agree to the continuance.

7 5. The additional time requested herein is not sought for purposes of delay, but
8 merely to allow the parties sufficient time within which to adequately prepare for the revocation
9 hearing and to provide continuity of defense counsel. Additionally, denial of this request for
10 continuance could result in a miscarriage of justice, and the ends of justice served by granting
11 this request, outweigh the best interest of the public and the defendant in a speedy hearing.

12 This is the sixth request for a continuance of the revocation hearing.

13 DATED this 24th day of March 2021.

14
15 RENE L. VALLADARES
16 Federal Public Defender

CHRISTOPHER CHIOU
Acting United States Attorney

17 /s/ Nisha Brooks-Whittington
18 By _____
19 NISHA BROOKS-WHITTINGTON
20 Assistant Federal Public Defender

/s/ Kimberly M. Frayn
By _____
KIMBERLY M. FRAYN
Assistant United States Attorney

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 CURTIS MCGOWN,

7 Defendant.

Case No. 2:19-cr-00028-APG-GWF

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
ORDER**

8
9
10 **FINDING OF FACT**

11 Base on the pending Stipulation of counsel, and good cause appearing therefore, the
12 Court finds that:

13 1. On or about January 28, 2020, Mr. McGown appeared on the petition seeking to
14 revoke his supervised release and was released on his own recognizance pending the supervised
15 release revocation hearing, which is currently scheduled for April 7, 2021 at 9:30 a.m.

16 2. The defendant, Mr. McGown has not resolved his state court case in connection
17 with the alleged new law violation. The state case was scheduled for trial on March 22, 2021,
18 however, the date was vacated and reset by the court to January 18, 2022. The parties need
19 additional time to prepare for a revocation hearing.

20 3. The defendant is not in custody and agrees with the need for the continuance.

21 4. The parties agree to the continuance.

22 5. The additional time requested herein is not sought for purposes of delay, but
23 merely to allow the parties sufficient time within which to adequately prepare for the revocation
24 hearing and to provide continuity of defense counsel. Additionally, denial of this request for
25 continuance could result in a miscarriage of justice, and the ends of justice served by granting
26 this request, outweigh the best interest of the public and the defendant in a speedy hearing.

ORDER

THEREFORE, IT IS ORDERED that the revocation hearing currently scheduled for Wednesday, April 7, 2021 at 10:00 a.m., be vacated and continued to June 15, 2021 at the hour of 9:30 a.m. in courtroom 6C.

DATED this 24th day of March 2021.



UNITED STATES DISTRICT JUDGE